

JOHN S. ADAMS & ASSOCIATES, INC.

5100 BIRCH STREET, NEWPORT BEACH, CALIFORNIA 92660
[949] 833-1972 FAX [949] 851-2055

January 9, 2012

Ms. Rosalinh Ung
Associate Planner
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915

Re: EIR
Uptown Newport Village
Newport Beach, California

Dear Ms. Ung:

I am submitting these comments as President of Courthouse Plaza Association. This association includes 5100, 5120, 5140 and 5160 Birch Street, a four building office complex located immediately adjacent to the proposed Uptown Newport project.

We have the following comments and suggestions for the Uptown Newport EIR.

Land Use Planning

The proposed development is an intrusion of a dense residential project into an office-business park environment. The proposed development will divide an established business park community and conflict with surrounding uses.

Access/Traffic/Safety

The proposed development proposes to utilize a private easement (Birch Street easement) for one of the primary access points to the property.

The development proposes to connect its interior public streets to a 30-foot wide private easement across land not owned by the Uptown Newport developers. This will exacerbate traffic on a private easement and add to the already frequent traffic accidents along this section of Birch Street. The Birch Street driveway was not envisioned or designed to be a primary access point.

Project Phasing

The proposed phasing of the development results in a more significant impact on the privately owned Birch Street easement. At the completion of Phase I, all access to the remaining Jazz building will essentially be directed to and from Birch Street across the private easement versus the existing Jamboree entrances/exits. Currently, access to the Jazz building is via two primary driveways on Jamboree Road, one of which is signalized, and the Birch Street easement, which is not signalized. This will severely impact our adjacent office project.

We suggest that Jamboree Road be maintained as the primary access to the Jazz building. In addition, we suggest a parking field along Jamboree Road be maintained for the Jazz building to encourage use of the Jamboree Road driveways as a primary access point.

Koll Development

The impact of the proposed Koll development on adjacent land should be considered. If there is connectivity between the Uptown Newport and Koll projects there will be additional vehicular traffic and pedestrian traffic impacts on the private easement area and adjacent office property.

Moreover, the EIR should address the potential impacts on parking in adjacent office properties as a result of connectivity between the Uptown Newport and Koll projects. The existing office buildings within the Koll project area charge for parking. Connectivity between Uptown Newport and Koll will burden other adjacent office properties which are not gated and do not charge for parking with tenants from the Koll project area who want to avoid parking fees and can now park for free next door and walk through this new “connectivity.”

Impact on Adjacent Property Owners

The EIR should address impacts, physical and financial, on the surrounding office uses from issues such as security, theft and vandalism, that result from placing a high-density residential development within the middle of a business park.

Trip Neutrality/Traffic Burdens

The Uptown Newport Plan proposes a total of 1,244 units, which is over 600 units above trip neutral. Phase I alone is proposed to total 680 units, which is above trip neutral in comparison to the entire existing Jazz facility. Thus, the project will create significant additional traffic above the existing use.

We suggest the project be reduced in density to trip neutral at ultimate completion as well as at completion of Phase I. Any mitigation of traffic above trip neutral should be borne entirely by the Uptown Village and Koll project areas.

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Conclusion

We think this project will have a significant negative environmental impact on our property and other adjacent properties.

We suggest that any considerations for mitigation should be borne by the Uptown Village project and not increase the burden on the privately owned Birch Street easement area. The EIR should consider reduced traffic burdens by reducing project intensity and placing all burdens for mitigation on the Uptown Newport property.

Sincerely,

JOHN S. ADAMS & ASSOCIATES, INC.

A handwritten signature in dark ink, appearing to read "John S. Adams", written in a cursive style.

John S. Adams